

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No.04-88 (RHK)

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	DEFENDANT’S MOTION TO MODIFY
v.	)	TERMS OF PROBATIONARY
	)	SENTENCE
JOSHUA NATHAN LINSK,	)	
	)	
Defendant.	)	

Defendant Joshua Nathan Linsk, by and through the undersigned attorney, hereby moves the Court for an order terminating the sentence of probation imposed by order of this Court on December 10, 2004. Mr. Linsk was sentenced to five years probation after having been convicted by his plea of guilty to three counts of computer fraud related matters. Mr. Linsk moves the Court pursuant to 18 U.S.C. § 3563 (c) which provides, in relevant part, that the Court “may modify, reduce or enlarge the conditions of a sentence of probation at any time prior to the expiration or termination of the term of probation....”.<sup>1</sup>

Mr. Linsk has, for the past three years, complied with each and every instruction, direction and condition imposed upon him by the Court and by United States Probation. His restitution obligation has been successfully satisfied. He has entered into an occupation successfully; Mr. Linsk is now involved in publishing and is apparently fairly successful. He has modified his conduct to such an extent and degree that the limitations imposed upon his liberty

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<sup>1</sup>F.R.C.P. 32.1 (c) provides that a hearing must be held unless “the relief sought is favorable to the person and does not extend the term of probation ...; and an attorney for the government has received notice of the relief sought, has had a reasonable opportunity to object, and has not done so.” F.R.C.P. 32.1 (c)(2)(B),(C).

are no longer necessary to assure his ability to conform his behavior to societal norms.

Accordingly, after three years of successful compliance with all of the terms of his probation, Joshua Nathan Linsk respectfully asks that the Court issue an order terminating the sentence of probation.

Dated: January 31, 2008

Respectfully submitted,

*s/Lyonel Norris*

LYONEL NORRIS

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